

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

VINCENT ELLIOT WILSON,  
Plaintiff,

v.

Civil No. 3:23cv847 (DJN)

ARLINGTON COUNTY DETENTION CENTER,  
Defendant.

**MEMORANDUM OPINION**

Plaintiff, a Virginia inmate, submitted this action and requested leave to proceed *in forma pauperis*.<sup>1</sup> The pertinent statute provides:

In no event shall a prisoner bring a civil action [*in forma pauperis*] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g). Plaintiff has at least three other actions or appeals that have been dismissed as frivolous or for failure to state a claim. *See Wilson v. Morales*, No. 3:23cv204 (DJN), 2023 WL 7545217, at \*8 (E.D. Va. Nov. 13, 2023); *Wilson v. Agboola*, No. 3:22cv665 (DJN), 2023 WL 7545220, at \*2 (E.D. Va. Nov. 13, 2023); *Wilson v. Arthur*, No. 3:23cv82 (DJN), 2023 WL 2506420, at \*6 (E.D. Va. Mar. 14, 2023); *aff'd* 2023 WL 7548182 (4th Cir. Nov. 14, 2023); *Wilson v. Burgess*, No. 3:22cv662 (DJN), 2023 WL 2505863, at \*5 (E.D. Va. Mar. 14, 2023); *aff'd* 2023 WL 7548184 (4th Cir. Nov. 14, 2023); *Wilson v. Arthur*, No. 3:22cv602 (DJN), 2023 WL 2507554, at \*6 (E.D. Va. Mar. 14, 2023), *aff'd* 2023 WL 4839377 (4th Cir. July 28, 2023);

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<sup>1</sup> The action was transferred to this Court from the United States District Court for the Southern District of West Virginia.


*Wilson v. U.S.P.S.*, No. 3:22cv689 (DJN), 2023 WL 1997069, \*2 (E.D. Va. Feb. 14, 2023);  
*Wilson v. Lindsey*, No. 3:23cv83 (DJN), 2023 WL 1997070, at \*2 (E.D. Va. Feb. 14, 2023), *aff'd*  
2023 WL 4839386 (4th Cir. July 28, 2023). Given his previous litigation, Plaintiff's current  
complaint does not plausibly suggest that he is in imminent danger of serious physical harm.

Accordingly, Plaintiff's request to proceed *in forma pauperis* will be DENIED. The  
action will be DISMISSED WITHOUT PREJUDICE.

Plaintiff remains free to submit a new complaint with the full \$405 filing fee. The Court  
will process such a complaint as a new civil action.

An appropriate Final Order will accompany this Memorandum Opinion.

Let the Clerk file a copy of the Memorandum Opinion electronically and send a copy to  
Plaintiff.

/s/   
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David J. Novak  
United States District Judge

Richmond, Virginia  
Dated: January 5, 2024